

CLEAN VERSION OF PENDING CLAIMS

43 1 (Once amended) A method for obtaining genetically modified plant seed, the method including contacting germinating plant seed with a wetting agent or surfactant and contacting the thus wetted plant seed with an *Agrobacterium* strain having a gene comprising a DNA of interest thereby genetically to modify the plant seed.

2 (Once amended) The method as claimed in claim 1, in which the wetting agent or surfactant is a non-oil based wetting agent or surfactant.

3 (Once amended) The method as claimed in claim 1, in which the wetting agent or surfactant includes a polyether polymethyl siloxane copolymer.

4 (Once amended) The method as claimed in claim 1, in which the *Agrobacterium* strain and the wetting agent or surfactant are in the form of an admixture, the wetting agent or surfactant and the *Agrobacterium* strain being present in the admixture in a mass ratio of the wetting agent or surfactant: *Agrobacterium* strain of between 1:99 and 1:10000.

5 (Once amended) The method as claimed in claim 1, in which the germinating plant seed is subjected to vacuum infiltration while it is being contacted with the wetting agent or surfactant and the *Agrobacterium* strain.

6. (Once amended) The method as claimed in claim 5, in which the germinating plant seed is subjected to vacuum infiltration for a period of between 5 minutes and 40 minutes.

7. (Once amended) The method as claimed in claim 1, in which the germinating plant seed is contacted with the wetting agent or surfactant and the *Agrobacterium* strain for a period of between 2 hours and 48 hours, at a temperature of between 15° C and 35° C.

8. (Once amended) The method as claimed in claim 1, in which the *Agrobacterium* strain is *Agrobacterium tumefaciens*.

9. (Once amended) The method as claimed in claim 1, in which the *Agrobacterium* strain includes said DNA of interest which includes appropriate regulatory sequences so as to be expressed in the cells of a plant which is cultivated from the genetically modified plant seed.

10. (Once amended) The method as claimed in claim 9, in which the DNA of interest confers at least disease resistance or drought resistance to the plant which is obtained from the genetically modified plant seed.

11. (Once amended) The method as claimed in claim 1, in which the *Agrobacterium* strain includes a plasmid comprising vector pBI121.

12. (Once amended) The method as claimed in claim 9, in which the *Agrobacterium* strain includes a plasmid which includes both said DNA of interest and a gene comprising a selection agent resistance DNA, the selection agent resistance DNA also including appropriate regulatory sequences so as to be expressed in the cells of the plant which is obtained from the genetically modified plant seed.

13. (Once amended) The method as claimed in claim 12, in which the selection agent resistance DNA codes for antibiotic resistance, thus imparting resistance to an antibiotic selection agent to the plant which is obtained from the genetically modified plant seed.

14. (Once amended) The method as claimed in claim 13, in which the antibiotic selection agent is kanamycin and/or rifampicin, and in which the selection agent resistance DNA is a GUS-intron DNA.

15. (Once amended) The method as claimed in claim 1, in which the plant seed is from the family *Leguminosae*.

16. (Once amended) The method as claimed in claim 15, in which the plant seed is soybean seed.

17. (Once amended) The method as claimed in claim 15, in which the plant seed is lupin seed.

18. (Once amended) The method as claimed in claim 1, which includes germinating plant seed at a temperature of between 22 °C and 32 °C, for a period of between 2 days and 5 days, before simultaneously contacting the germinating plant seed with the wetting agent or surfactant and the *Agrobacterium* strain.

19. (Once amended) A genetically modified plant seed produced by the method as claimed in claim 1.

20. (Once amended) A genetically modified plant obtained from the plant seed as claimed in claim 19.